UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,636	02/27/2002	Soshiro Kuzunuki	381NP/50948	1795

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EXAMINER
AZAD, ABUL K

ART UNIT	PAPER NUMBER
2654	9

DATE MAILED: 02/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/083,636	KUZUNUKI ET AL.
	Examiner	Art Unit	
	ABUL K. AZAD	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 July 2002</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-6 and 11-13</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-6 and 11-13</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>22 May 2002</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>6</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Response to Preliminary Amendment

1.   This action is in response to the communication filed on February 27, 2002 and

July 11, 2002.

2.   Claims 1-6 and 11-13 are pending in this action. Claims 3-6 have been amended.

Claims 7-10 have been canceled.

Priority

3.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which

papers have been placed of record in the file.

Information Disclosure Statement

4.   The references cited in the Information Disclosure Statement, PTO-1449, Paper

No. 6 have been considered.

Drawings

5.   The Drawings filed on February 27, 2002, are considered by the examiner.

Double Patenting

6.   The nonstatutory double patenting rejection is based on a judicially created
doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the
unjustified or improper timewise extension of the "right to exclude" granted by a patent
and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11
F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225
USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA
1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*,
418 F.2d 528, 163 USPQ 644 (CCPA 1969).
        A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be
used to overcome an actual or provisional rejection based on a nonstatutory double

patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

7.   Claims 1, 6, 11, 12 and 13 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 10/192,317 in view of Uppaluru (US 5,915,001).

This is a provisional obviousness-type double patenting rejection.

Comparing claims 1 and 11 of instant application with claim 1 of application 10/192,317 as follows:

As per claim 1,a speech input system comprising:

a speech input terminal provided with a speech input/output mean, a Web browser and a display mean for displaying an access status to an external system and a search result;

a speech portal server provided with a speech recognizing mean for receiving a speech from said speech input terminal to recognize it as a text, a command converting mean for checking the recognized text with a command text dictionary, and separating it into a command text and an object text and a conversation control means; and

the application service provider which is provided with an information search mean for searching information based on the command text and the object text received from said speech portal server, and serves said speech portal server with a search result;

wherein said conversation control mean has access to, and receives a service

from said application service provider which provides different information based on the

separated command text and object text, and provides said speech input terminal with

the service.

Claim 1 of application 10/192,317 does not teach a Web browser. However,

Uppaluru teaches a Web browser (column 6, lines 47-51). Therefore, it would have

been obvious to one of ordinary skill in the art at the time of the invention to use a Web

browser because Uppaluru teaches his voice Web browser provides a subscriber with

fast, easy, convenient voice activated navigation and access to voice web pages using

voice command (column 6, lines 40-51).

As per claim 6, the claim limitations are rejected based on the rational given to

claim 1. Claim 1 of application 10/192,317 does not teach, "wherein said application

service provider is a telephone information application service provider which serves

telephone information". However, Uppaluru teaches, "wherein said application service

provider is a telephone information application service provider which serves telephone

information" (Fig. 3, element 314, a business White page and Fig. 4, element 414, a

business White page, is provided telephone information using telephone information

application service). Therefore, it would have been obvious to one of ordinary skill in the

art at the time of the invention to use a telephone information application service

provider because Uppaluru teaches his voice Web browser provides a subscriber with

fast, easy, convenient voice activated navigation and access to voice web pages using

voice command (column 6, lines 40-51) to provide with business white pages, yellow

pages services (col. 9, lines 41-56).

As per claim 11, a speech input terminal having an access to and receiving a

service from a speech portal server and an application service provider for providing

different information, and provided with an speech input mean, a web browser, and a

display means for displaying an access status to an external system and a search

result.

Claim 1 of Application 10/192,317 does not teach a Web browser. However,

Uppaluru teaches a Web browser (column 6, lines 47-51). Therefore, it would have

been obvious to one of ordinary skill in the art at the time of the invention to use a Web

browser because Uppaluru teaches his voice Web browser provides a subscriber with

fast, easy, convenient voice activated navigation and access to voice web pages using

voice command (column 6, lines 40-51).

Also it would have been obvious to a person of ordinary skill in the art at the time

of the invention was made to omit elements when the remainder elements perform as

before. A person of ordinary skill could have arrived at the present claims by omitting

the details of the pending application's claims. See In re Karlson (CCPA) 136 USPQ

184, decided January 16, 1963 ("Omission of element and its function in combination is

obvious expedient if reminder elements perform same function before").

As per claim 12, the claim limitations are rejected based on the rational given to

claim 11 above. Claim 1 of Application 10/192,317 does not teach, "integrated into any

one of a PDA, a portable phone, and an on board navigation system". However, Uppaluru teaches, "integrated into any one of a PDA, a portable phone, and an on board navigation system" (col. 6, lines 6-29, portable phone or cellular telephone). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a portable telephone or cellular phone as an input terminal as taught by Uppaluru because an artisan with ordinary skill would readily recognized that would improve the server and client communication and provide mobility of the communication system.

As per claim 13, the claim limitations are rejected based on the rational given to claim 11 above. Claim 1 of Application 10/192,317 does not teach, "integrated into any one of a home telephone, a TV set, and a PC". However, Uppaluru teaches, "integrated into any one of a home telephone, a TV set, and a PC" (col. 6, lines 6-29, a computer is a PC and a desktop telephone). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a PC or a desktop telephone a an input terminal as taught by Uppaluru because an artisan with ordinary skill would readily recognized that would improve the server and client communication.

8.   Claims 2 and 4 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 10/192,317 in view of Uppaluru (US 5,915,001) as applied to claims 1 and 11 above, and further in view of Walker et al. (US 6,434,529).

This is a provisional obviousness-type double patenting rejection.

As per claim 2, the claim limitations are rejected based on the rational given to claim 1 above. Claim 1 of Application 10/192,317 and Uppaluru do not teach, "said information search mean of the application service provider extracts every (n) characters from the received object text, and searches for information based on n-character index created beforehand". However, Walker teaches, "said information search mean of the application service provider extracts every (n) characters from the received object text, and searches for information based on n-character index created beforehand" (col. 3, line 62 to col. 4, line 7, particularly reads on "in an illustrative embodiment, the mapping are maintained in a table, such that an index of a table entry containing a reference to an object instance associated with a given string may be obtained by the applying a predetermined function to the string"). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Walker's teaching in the invention of claim 1 because Walker teaches his invention provides a speech recognition system which reduces the specialized post-processing program logic in an application program that typically needed to process speech recognition results (col. 3, lines 49-55).

As per claim 4, the claim limitations are rejected based on the rational given to claim 1 above. Claim 1 of Application 10/192,317 and Uppaluru do not teach, "wherein said application service provider is a music information application service provider which serves music information". However, Walker teaches, "wherein said application service provider is a music information application service provider which serves music information" (col. 4, lines 24-50, a media-player application program). Therefore, it

would have been obvious to one of ordinary skill in the art at the time of the invention to

use Walker's teaching in the invention of claim 1 because Walker teaches his invention

provides a speech recognition system which reduces the specialized post-processing

program logic in an application program that typically needed to process speech

recognition results (col. 3, lines 49-55).

9.   Claim 3 is provisionally rejected under the judicially created doctrine of

obviousness-type double patenting as being unpatentable over claim 1 of copending

Application No. 10/192, 317 in view of Uppaluru (US 5,915,001) as applied to claim 1

above, and further in view of Cherveny et al. (US 6,401,068).

This is a <u>provisional</u> obviousness-type double patenting rejection.

As per claim 3, the claim limitations are rejected based on the rational given to

claim 1. As per claim 3, Application No. 10/192, 317 and Uppaluru do not explicitly

teach, "application service provider which serves map information". However, Cherveny

teaches a application service provider which serves map information (col. 2, lines 22-37,

here geographic data is map information). Therefore, it would have been obvious to one

of ordinary skill in the art at the time of the invention to use a map application service

provider as teaches by Cherveny in the inventions of claim 1 of application 10/192,317's

navigation information service provider because Cherveny teaches his invention

providing improve map information while traveling and avoiding difficult writing map

information while traveling (col. 1, line 61 to col. 2, line 5).

10.   Claim 5 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 10/192,317 in view of Uppaluru (US 5,915,001) as applied to claim 1 above, and further in view of Basore et al. (US 5,752,232).

This is a <u>provisional</u> obviousness-type double patenting rejection.

As per claim 5, the claim limitations are rejected based on the rational given to claim 1. As per claim 5, Application No. 10/192,317 and Uppaluru do not explicitly teach, "wherein said application service provider is a broadcast program information application service provider which serves information on at least one of a TV broadcast program, a CS broadcast program, and a CATV broadcast program". However, Basore teaches, "wherein said application service provider is a broadcast program information application service provider which serves information on at least one of a TV broadcast program, a CS broadcast program, and a CATV broadcast program" (col. 4, line 49 to col. 5, line 40, TV schedule application). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a TV schedule application service provider as teaches by Basore in the inventions of claim 1 of application 10/192,317and Uppaluru's application service provider because Basore teaches his invention provide voice activated device can make extensive information from multiple network services quickly available to the user (col.6, lines 21-23).

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12.   Claims 11, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Walker et al. (US 6,434,529) in view of Uppaluru (US 5,915,001).

As per claim 11, Walker teaches, "a speech input terminal having an access to

and receiving a service from a speech portal server and an application service provider

for providing different information" (Fig. 1, element 9, I/O device; a speech portal server

is element 4, Application program element 28), and "provided with an speech input

mean" (Fig. 1, element 9, I/O device as speech input mean", and "a display mean for

displaying an access status to an external system and a search result" (col. 18 , line 30

to col. 19, line 42, a computer includes a display and the result states is the access

status of the external system and a search result and at col. 17, lines 25-49, particularly

reads on "a result rejected event is used simply to provide users with feedback that

something was heard but no action was taken, for example, by displaying "???" or

sounding en error beep").

Walker does not teach a Web browser. However, Uppaluru teaches a Web

browser (column 6, lines 47-51). Therefore, it would have been obvious to one of

ordinary skill in the art at the time of the invention to use a Web browser as teaches by

Uppaluru in the invention of Walker because Uppaluru teaches his voice Web browser

provides a subscriber with fast, easy, convenient voice activated navigation and access

to voice web pages using voice command (column 6, lines 40-51).

As per claim 12, the claim limitations are rejected based on the rational given to

claim 11 above. Walker teaches to use a computer and telephone network at the I/O

terminal (col. 19, lines 25-42). Walker does not teach, "integrated into any one of a

PDA, a portable phone, and an on-board navigation system". However, Uppaluru

teaches, "integrated into any one of a PDA, a portable phone, and an on-board

navigation system" (col. 6, lines 6-29, portable phone or cellular telephone). Therefore,

it would have been obvious to one of ordinary skill in the art at the time of the invention

to use a portable telephone or cellular phone as an input terminal as taught by Uppaluru

because an artisan with ordinary skill would readily recognized that would improve the

server and client communication and provide mobility of the communication.

As per claim 13, the claim limitations are rejected based on the rational given to

claim 11 above and further Walker teaches, "integrated into any one of a home

telephone, a TV set, and a PC" (col. 19, lines 25-41, a computer is a PC and a

telephone network).

13.   Claims 1, 2, 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Walker et al. (US 6,434,529) in view of Gould et al. (US 5,799,279) and Uppaluru

(US 5,915,001).

As per claim 1, Walker teaches, "a speech input system comprising:"

"a speech input terminal provided with a speech input/output mean, and a display

mean for displaying an access status to an external system and a search result" (col. 5,

lines 29, input/output (I/O) devices; col. 18 , line 30 to col. 19, line 42, a computer

includes a display and the result states is the access status of the external system and

a search result and at col. 17, lines 25-49, particularly reads on "a result rejected event

is used simply to provide users with feedback that something was heard but no action

was taken, for example, by displaying "???" or sounding an error beep");

"the application service provider which is provided with an information search

mean for searching information based on the command text and the object text received

from said speech portal server, and serves said speech portal server with a search

result" (col. 4, lines 8-61, particularly reads on "the unique string may then be used

within scripting language in tags of a rule grammar, in order to refer to the object

instance that been "registered" in this way by the application program. . . the tag parser

program calls methods on such application object instances directly". Here, command

rule grammar parses the command string of character and object rule grammar parses

the object character string and these tags are register in the program scripting language

to perform the command search);

"conversation control means" (col. 17, line 31 to col. 18, line 55, here

conversation is controlled by the different state of the processing such as processing,

suspended, rejected or accepted);

"wherein said conversation control mean has access to, and receives a service

from said application service provider which provides different information based on the

separated command text and object text, and provides said speech input terminal with

the service" (col. 18, lines 23-28, particularly reads on "a result listener attached to a

recognizer receives all results produced by that recognizer for all grammars").

Walker does not teach a Web browser. However, Uppaluru teaches a Web

browser (column 6, lines 47-51). Therefore, it would have been obvious to one of

ordinary skill in the art at the time of the invention to use a Web browser as teaches by

Uppaluru in the invention of Walker because Uppaluru teaches his voice Web browser

provides a subscriber with fast, easy, convenient voice activated navigation and access

to voice web pages using voice command (column 6, lines 40-51).

Walker teaches at column 3, line 62 to column 4, line 61, a mapping is

maintained between at least one string formed using characters in the character set of

the recognition grammar and instance of objects in the application program and

command rule grammar parses the command string of character and object rule

grammar parses the object character string and these tags are register in the program

scripting language to perform the command search. Walker does not explicitly teaches,

"receiving a speech from said speech input terminal to recognize it as a text, a

command converting mean for checking the recognized text with a command text

dictionary, and separating it into a command text and an object text". However, Gould

teaches, "receiving a speech from said speech input terminal to recognize it as a text, a

command converting mean for checking the recognized text with a command text

dictionary, and separating it into a command text and an object text" (col. 6, lines 14-47,

here first user's speech converted to text then determine whether the text is a command

or object by comparing with the command templates (see col. 4, lines 45-65), if the text is a command then command is performed on the object). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Gould's teaching of recognizing user speech as text and separating command text and object text by comparing with command templates in the invention of Walker because Gould teaches his invention dose not require to switch modes for dictation and command, which will reduce the users confusion of the mode selection (col. 2, lines 6-13).

As per claim 2, the claim limitations are rejected based on the rational given to claim 1 above and further Walker teaches, "said information search mean of the application service provider extracts every (n) characters from the received object text, and searches for information based on n-character index created beforehand" (col. 3, line 62 to col. 4, line 7, particularly reads on "in an illustrative embodiment, the mapping are maintained in a table, such that an index of a table entry containing a reference to an object instance associated with a given string may be obtained by the applying a predetermined function to the string").

As per claim 4, the claim limitations are rejected based on the rational given to claim 1 above and further Walker teaches, "wherein said application service provider is a music information application service provider which serves music information" (col. 4, lines 24-50, a media-player application program).

As per claim 6, the claim limitations are rejected based on the rational given to claim 1. Walker does not explicitly teach, "wherein said application service provider is a telephone information application service provider which serves telephone information".

However, Uppaluru teaches, "wherein said application service provider is a telephone information application service provider which serves telephone information" (Fig. 3, element 314, a business White page and Fig. 4, element 414, a business White page, is provided telephone information using telephone information application service). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a telephone information application service provider as teaches by Uppaluru in the invention of Walker because Uppaluru teaches his voice Web browser provides a subscriber with fast, easy, convenient voice activated navigation and access to voice web pages using voice command (column 6, lines 40-51) to provide with business white pages, yellow pages services (col. 9, lines 41-56).

14.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (US 6,434,529) in view of Gould et al. (US 5,799,279) and Uppaluru (US 5,915,001) as applied to claim 1 above, and further in view of Cherveny et al. (US 6,401,068).

As per claim 3, the claim limitations are rejected based on the rational given to claim 1. As per claim 3, Walker, Gould and Uppaluru do not explicitly teach, "application service provider which serves map information". However, Cherveny teaches a application service provider which serves map information (col. 2, lines 22-37, here geographic data is map information). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a map application service provider as teaches by Cherveny in the inventions of Walker, Gould and Uppaluru's navigation information service provider because Cherveny teaches his invention

providing improve map information while traveling and avoiding difficult writing map

information while traveling (col. 1, line 61 to col. 2, line 5).

15.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et

al. (US 6,434,529) in view of Gould et al. (US 5,799,279) and Uppaluru (US 5,915,001)

as applied to claim 1 above, and further in view of Basore et al. (US 5,752,232).

As per claim 5, the claim limitations are rejected based on the rational given to

claim 1. As per claim 5, Walker, Gould and Uppaluru do not explicitly teach, "wherein

said application service provider is a broadcast program information application service

provider which serves information on at least one of a TV broadcast program, a CS

broadcast program, and a CATV broadcast program". However, Basore teaches,

"wherein said application service provider is a broadcast program information

application service provider which serves information on at least one of a TV broadcast

program, a CS broadcast program, and a CATV broadcast program" (col. 4, line 49 to

col. 5, line 40, TV schedule application). Therefore, it would have been obvious to one

of ordinary skill in the art at the time of the invention to use a TV schedule application

service provider as teaches by Basore in the inventions of Walker, Gould and

Uppaluru's application service provider because Basore teaches his invention provide

voice activated device can make extensive information from multiple network services

quickly available to the user (col.6, lines 21-23).

Conclusion

16.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Abella et a. (US 6,044,347) teach, methods and apparatus object oriented rule-

based dialogue management.

Dvorak (US 6,473,734) teaches, methodology for the use of verbal proxies for

dynamic vocabulary additions in speech interfaces.

Contact Information

17.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to **Abul K. Azad** whose telephone number is **(703) 305-**

3838.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, **Richemond Dorvil**, can be reached at **(703) 305-9645.**

Any response to this action should be mailed to:

> **Commissioner for Patents**
>
> **P.O. Box 1450**
>
> **Alexandria, VA 22313-1450**

Or faxed to:

> **(703) 872-9314**

(For informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to 2121 Crystal Drive, Arlington,

VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should

be directed to the Technology Center's Customer Service Office whose telephone

number is **(703) 306-0377.**

Abul K. Azad

February 5, 2004